

IN THE UNITED STATES DISTRICT  
COURT FOR THE SOUTHERN DISTRICT  
OF ILLINOIS

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	CRIMINAL NO. 20CR30131-SMY
	)	
BRADEN LEBERT,	)	
	)	
Defendant.	)	

**STIPULATION OF FACTS**

Comes now, Steven Weinhoeft, United States Attorney for the Southern District of Illinois, and Jennifer Hudson, Assistant United States Attorney, together with the Defendant, Braden Lebert, and his attorney, Justin Kuehn, and hereby enter into the following Stipulation of Facts consistent with Section 1B1.3 of the United States Sentencing Guidelines pertaining to the Defendant's relevant conduct.

1. On September 18, 2019, at approximately 1:57am, three people drove onto the Circle K parking lot. Two masked persons grabbed a Circle K employee in the parking lot and forced the employee to enter the store.

2. The Circle K is located at 107 West Elm Street, Okawville, within the Southern District of Illinois.

3. One robber wore a distinctive clown mask and brandished a black handgun. The Circle K employee was forced behind the counter where the robbers demanded the safe. The masked subjects ordered the Circle K employee to open the store teller drawers,

remove United States currency, and put the United States currency into a bag. The two robbers left the store and ran to the waiting car. The get-a-way-driver was Braden Lebert.

4. On September 23, 2019, at approximately 12:52am, Braden Lebert drove a stolen blue 2012 Toyota four-door sedan to a gas pump at the MotoMart. The MotoMart was located at 180 North 4th Street, Breese, within the Southern District of Illinois.

5. Two robbers left the vehicle entered the MotoMart. One robber wore a clown mask and both robbers carried firearms. The MotoMart employee was ordered to open the register drawers, remove United States currency, and place the United States currency into a dark blue backpack. The employee reported that a firearm was pointed at him and money was demanded. The two masked subjects then left the store. Lebert drove the trio away from the MotoMart.

6. Both MotoMart and Circle K engage in interstate commerce. The currency taken from these stores are proceeds from their commercial activities.

7. By brandishing the firearm at the MotoMart employee, the robbers made it easier for themselves to gain the employee's compliance by threatening him with death.

8. Law enforcement located the get-a-way car, a second car, the clown mask, and gloves. DNA samples were taken from Lebert and another upon their arrest. Preliminary DNA results identify that Lebert contributed DNA to the inside of two gloves. A search warrant for one black Samsung Galaxy Note Edge Cell phone seized from a second suspect on September 25, 2019 reveal communication setting up the robberies. The electronic communications, such as text messages, establish that the trio planned the robberies and planned to use firearms.

9. On August 11, 2020 at approximately 1:00 pm in the afternoon, in Mascoutah, St. Clair County, within the Southern District of Illinois, law enforcement seized the vehicle driven by Braden Lebert.

10. Law enforcement learned of a Snapchat video that showed Lebert holding a loaded magazine, loading it into a semi-automatic pistol, and hearing Lebert state "30 hollows and 16 others", referring to hollow point bullets.

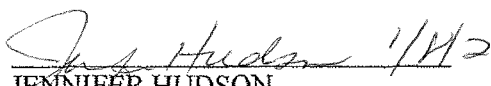
11. A search warrant was obtained and the subsequent search revealed that inside the 2009 blue/grey Chevrolet Malibu 4-Door were two bullets originally manufactured in Nebraska. The two bullets fit into the firearm used in Snapchat video.


12. At the time Lebert possessed the two bullets, Lebert was on probation for a felony offense, Robbery, a crime punishable by a term of imprisonment exceeding one year, in Clinton County Circuit Court in case number 18CF176.

13. Because he was on probation for the felony offense, Lebert had reason to know he was a prohibited person.

**SO STIPULATED**

  
BRADEN LEBERT  
Defendant

 1/11/21  
JENNIFER HUDSON  
Assistant United States Attorney

  
JUSTIN KUEHN  
Counsel for the Defendant